

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **OCTOBER 8, 2008**

Committee Members Present:

Supervisors Thomas
Kenny
Belden
Stec
Sokol
Tessier

Committee Member Absent:

Supervisor Haskell

Others Present:

Fred Monroe, Chairman
Hal Payne, Commissioner of Administrative
and Fiscal Services
Joan Sady, Clerk of the Board
JoAnn McKinstry, Deputy Commissioner of
Administrative and Fiscal Services
Paul Dusek, County Attorney
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Champagne
Supervisor Strainer
Supervisor VanNess
Rich Kelly, Personnel Officer
Todd Lunt, Human Resources Director
William Lamy, DPW Superintendent
Julie Pacyna, Purchasing Agent
Karen Putney, Administrator, Building
Codes
Brenda Hayes, Director, Countryside Adult
Home
Barbara Taggart, Administrator,
Westmount Health Facility
Shane Ross, Chief Deputy
Bud York, Sheriff
Sheila Weaver, Commissioner of
Department of Social Services
Nicole Livingston, Deputy Clerk

Mr. Thomas called the Personnel Committee meeting to order at 9:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to approve the minutes of the September 10, 2008 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Personnel Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Agenda review, Mr. Thomas apprised that Hal Payne, Commissioner of Administrative & Fiscal Services, had requested permission to address the Committee regarding County Vehicle Use Regulations. He noted that Resolution No. 459 of 2007 was attached for review.

Mr. Payne explained he had been asked to research County vehicles that were being driven home by employees. After reviewing the Travel Policy, he said, he determined there were employees in four departments that were authorized to take County vehicles to their residence overnight. He further stated he had received several complaints regarding County vehicles being driven home that were not authorized by Resolution No. 459 of 2007. Mr. Payne said an employee in the Planning & Community Development Department had permission to drive a County vehicle; however, he noted, there was no authorization for that employee to take the vehicle home, which was occurring. He detailed the departments and the positions that were authorized by the aforementioned resolution to take vehicles home.

Mr. Strainer entered the meeting at 9:04 a.m.

With regard to the employee in the Planning Department, Mr. Payne said the individual was assigned a County vehicle; however, he added, the vehicle was to be housed at the Hague Town Hall for use on an as needed basis.

Mr. Kenny commented that too many County vehicles were being used for personal use, increasing costs to the County. Mr. Stec said that the resolution needed to be enforced and employees needed to follow it. He added that he believed this was a disciplinary issue.

Mr. Bentley entered the meeting at 9:07 a.m.

Mr. Sokol stated that his understanding was that the problem with the employee in the Planning Department was that stops were being made to check on construction projects between the County Center and the Town of Hague that were not being reported. He suggested that a log on all stops made be kept by all employees that were authorized to drive County vehicles.

Mr. Geraghty expounded he had requested Mr. Payne to review the policy due to complaints that he had been receiving. He added that authorization should be made on a case-by-case basis, depending on the position within the department and what the responsibilities of the position entailed.

Mr. Thomas apprised the list of employees that were authorized to take vehicles home was included in the resolution. He said that if there was a problem with the list, the resolution should be amended or reinforced more strictly. Mr. Geraghty added that he believed there was also an IRS issue involved with employees taking County vehicles home which would be considered part of their income and needed to be declared on their income tax.

Karen Putney, Administrator of Building Codes, noted that the employees in her Department that took vehicles home were charged \$3 per day, which was deducted from their salary. She added that they also did quarterly reports listing how many days the vehicle was used, as well as a log of mileage and inspections that were conducted

on a day to day basis.

The consensus of the Committee was to hold a special Personnel Committee meeting dedicated solely to discussions on the Travel Policy and County Vehicle Use Regulations. Mr. Stec recommended that until that meeting was held, departments needed to be reminded of the current policy. Chairman Monroe suggested that all affected departments be notified of the meeting in order for them to be present for discussions. Joan Sady, Clerk of the Board, announced the special Personnel Committee meeting would be Tuesday, October 21, 2008 at 9:30 a.m. and added that she would send out a formal notification.

Mr. VanNess entered the meeting at 9:15 a.m.

Returning to the Agenda review, Mr. Thomas advised Items 2A through D were referrals from the Health Services Committee. Item 2A, he said, was a referral from the Countryside Adult Home, requesting to fill the vacant position of Institutional Aide, base salary of \$22,988, Grade 3, Employee No. 7082, due to retirement.

Motion was made by Mr. Kenny, seconded by Mr. Sokol and carried unanimously to approve Item 2A as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas added Items 2B through D were referrals from the Westmount Health Facility, and he listed the requests as follows:

- B) Request to fill the vacant position of Leisure Time Activities Aide Part-time, base salary of \$13,556, Employee No. 10827, due to resignation, contingent upon the elimination of the PCP (Personal Care Provider) position;
- C) Deleting the position of Personal Care Provider Part-time Activities, base salary of \$9,360, Employee No. 11477, due to promotion; thereby amending the Department's Table of Organization; and
- D) Request to fill the vacant position of Senior Account Clerk, base salary of \$27,559, Grade 7, Employee No. 11216, due to termination.

Motion was made by Mr. Sokol, seconded by Mr. Tessier and carried unanimously to approve Items 2B through D as outlined above, and the necessary resolution was authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Position are on file with the minutes.

Mr. Sokol commended the Westmount Health Facility for their willingness to delete a position in an effort to reduce expenses.

Mr. Thomas expounded Items 3A through C were referrals from the Public Safety Committee. He stated that Item 3A was a referral from the Sheriff & Communications, requesting authorization for Cynthia Ross, Senior Account Clerk, to enroll in a job-

related course entitled "Advanced Bookkeeping" at Adirondack Community College from September 3, 2008 to December 12, 2008 at a cost of \$427.75.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve Item 3A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas added that Items 3B and C were referrals from the Office of Emergency Services. Item 3B, he said, was a request to fill the vacant position of First Deputy Fire Coordinator, base salary of \$4,879, Employee No. 4423, due to promotion. He noted Item 3C was a request to fill the vacant position of Second Deputy Fire Coordinator, base salary of \$3,728, Employee No. 9412, due to promotion.

Motion was made by Mr. Kenny, seconded by Mr. Tessier and carried unanimously to approve Items 3B and C as outlined above. Copies of the Notices of Intent to Fill Vacant Position are on file with the minutes.

Mr. Thomas advised Item 4 was a referral from the Public Works Committee, DPW, requesting to fill the vacant position of Working Supervisor #3, base salary of \$26,101, Grade 6, Employee No. 207, due to retirement.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve the request as presented.

Mr. Belden questioned if the salary listed was the base salary for the position. William Lamy, DPW Superintendent, responded that it was the base salary; however, he noted, the employee that would be assuming that position would carry their increments with them.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve Item 4 as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas stated Item 5 was a referral from the Social Services Committee, requesting to fill the vacant position of Caseworker, base salary of \$33,590, Grade 14, Employee No. 6479, due to retirement.

Motion was made by Mr. Tessier, seconded by Mr. Kenny and carried unanimously to approve Item 5 as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas apprised Items 6A through C were referrals from the Support Services Committee. Item 6A, he said, was a referral from the Self-Insurance for Safety Committee, requesting authorization for three employees to attend the National Safety Council DDC4 Driver Training Course in Springfield, Massachusetts from November 11, 2008 through November 13, 2008.

Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas stated Items 6B and C were referrals from the Purchasing Department. Item 6B, he said, was a request for authorization for an ongoing internship program within the Purchasing Department. He added Item 6C was a request for authorization for an agreement with Adirondack Community College for an internship within the Purchasing Department.

Motion was made by Mr. Tessier, seconded by Mr. Sokol and carried unanimously to approve Items 6B and C as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Champagne entered the meeting at 9:22 a.m.

Mr. Thomas apprised Item 7 was the list of Pending Items for the Personnel Committee to review. He said Item 1 was the continuation of review of non-bargaining unit job description/responsibilities - status. Mr. Payne reported that approximately six positions had been covered and the review was continuing. He added that Todd Lunt, Director of Human Resources, would be in attendance shortly to assist with the status of the pending items.

Mr. Thomas noted Item 2 was the Human Resources Director working on Master Employee Handbook - status (10.05.05). Mr. Payne said that was ongoing as well.

Mr. Thomas added Item 3 was a request from the Committee for the Negotiating Committee to review the current vacation policy (06.06.06). Mrs. Sady said the concern was that a new employee could work thirty days and acquire five vacation days; however, she noted, it was part of the union contract. Mr. Payne stated that meetings with the union were held on a quarterly basis and this issue had yet to be discussed.

Paul Dusek, County Attorney, and Mr. Lunt entered the meeting at 9:25 a.m.

Mr. Dusek explained this became an issue after the union structured the vacation policy to provide vacation time up front in order to entice individuals to employment with the County. He further stated that the issue was brought up again during last years' negotiation process; however, he said, the issue was not resolved. He added that he did not believe there was still an issue with employees acquiring vacation time and leaving employment with the County shortly thereafter. Mr. Dusek reminded the Committee members that the system was built on a January 1st calendar year, not the date of hire.

Mr. Lunt advised that the issue was the terminations within the first year, in which an

employee could receive five vacation days payout prior to their probationary period being completed. He noted he did not have the numbers at this time; however, he said, he could provide the figures at the next Committee meeting. Mr. Thomas requested Mr. Lunt to determine the number of terminations this year and the amount that was paid out for vacation time and to report back to the Committee.

Discussion ensued.

Following discussions regarding the vacation policy, Mr. Thomas suggested that a list be created of issues that the Committee would like to see resolved during the next round of union negotiations.

Sheriff York and Chief Deputy Ross entered the meeting at 9:38 a.m.

Mr. Lunt referred back to Item 2 regarding the Master Employee Handbook and advised a draft would be completed at the end of the month, with the final version in circulation by January of 2009.

Continuing, Mr. Thomas said Item 4 was regarding the Program on Workplace Violence Prevention in or on County Buildings, Worksites or Vehicles to be reevaluated over the next six months by the Human Resources Director (02.07.07).

Mr. Lunt reported the plan had been in place for nearly two years. He added that he had contacted the New York State Department of Labor inquiring about the regulations that were going to be provided. He said he was advised that the regulations were not completed yet; however, he noted, they would be available in March of 2009, which would outline what the County had to do. He reiterated that the County had a plan in place, although the States regulations would determine what was needed in the plan.

Mr. Thomas expounded Item 5 was a matter of adopting a County Policy mandating defensive driving courses for all County employees maintained in the County's drivers' data base delayed for one month to obtain additional information (09.12.07).

Mr. Lunt explained that this policy had been put on hold pending whether or not Cool Insuring Agency, the County's Insurance Agent, could provide that service. He said that Cool Insuring Agency did not have a dedicated trainer on staff and therefore could not provide the service. He further reported that the County had continued moving forward with County employee trainers and there were currently two employees in the County that were trained and could provide courses for employees. He added that earlier in the meeting, the Committee had authorized three more employees to obtain the necessary certification to become trainers. In response to an inquiry, Mr. Lunt noted that the County did not pay the trainers to provide the courses. He stated if the Committee would like the policy to be mandated, a resolution adopting such would be needed. Mr. Dusek interjected that in order to mandate a policy, negotiations with the union were necessary and he suggested that this be discussed further in an executive session.

Discussion ensued.

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Following discussions, Mr. Thomas recommended that the training continue on a voluntary basis, as opposed to a mandatory policy.

Concerning Item 6, Negotiating Team (comprised of Paul Dusek, Hal Payne, Rich Kelly and Todd Lunt) to meet with the union to pursue negotiations regarding flex time for all Departments (04.09.08), Mr. Dusek requested that this be discussed in an executive session.

Mr. Thomas said Item 7 was a referral from Real Property Tax Services, requesting the Human Resources Director to establish a Countywide policy for salaried employees to account for time worked, to be presented at the July Personnel Committee meeting (06.11.08).

Mr. Lunt apprised he had developed a proposed policy; however, he said, he would like to present his proposal to Department Heads prior to a final policy being adopted. He outlined the policy for the Committee members and noted that it included the exemption of Department Heads from punching a time card; hourly employees would continue to punch a time card upon arrival to work, punch in and out for lunch, and a final punch at the end of the day; and exempt, non-Department Heads would be required to punch in at the beginning of the work day and out at the end of the day.

Mr. Dusek requested an executive session to discuss CSEA negotiations and PBA negotiations. Motion was made by Mr. Kenny, seconded by Mr. Sokol and carried unanimously that executive session be declared pursuant to Section 105 (e) of the Public Officers Law.

Executive session was declared from 9:49 a.m. to 10:24 a.m.

Committee reconvened. Mr. Thomas said no action was necessary pursuant to the executive session.

There being no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Sokol, Mr. Thomas adjourned the meeting at 10:25 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk